IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

KINGMAN HOLDINGS, LLC,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	**Case No. 4:15cv588**
	§	**(Judge Clark/Judge Bush)**
U.S. BANK NATIONAL ASSOCIATION,	§	
	§	
Defendant.	§	

ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND
<u>ORDER VACATING FINAL DEFAULT JUDGMENT</u>

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On May 3, 2016, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Motion to Remand (Dkt. # 10) be DENIED, that Defendant U.S. Bank N.A., as Trustee's Motion and Amended Motion to Vacate Default Judgment (Dkts. ## 3 & 8) be GRANTED, that the Final Default Judgment signed in this cause by the 219th District Court of Collin County, Texas, on May 1, 2015 in Cause No. 219-04912-2014 be VACATED and SET ASIDE, and that this case should proceed in this court.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's recommendations as the findings and conclusions of the court. Therefore, Plaintiff's Motion to Remand (Dkt. # 10) is DENIED,

Defendant U.S. Bank N.A., as Trustee's Motion and Amended Motion to Vacate Default Judgment

(Dkts. ## 3 & 8) is GRANTED, the Final Default Judgment signed in this cause by the 219th District

Court of Collin County, Texas, on May 1, 2015 in Cause No. 219-04912-2014 is hereby

VACATED and SET ASIDE, and this case shall proceed in this court. *See Thompson v. Deutsche*

Band Nat. Trust, 775 F.3d 298, 305-306 (5th Cir. 2014).

So **ORDERED** and **SIGNED** this **1**   day of **June, 2016.**

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Ron Clark, United States District Judge